

WAC
12/19/18

UNITED STATES DISTRICT COURT

for the
Southern District of TexasUnited States District Court
Southern District of Texas
FILED

DEC 19 2018

David J. Bradley, Clerk of Court

United States of America

v.

James Glenn FULCHER

Case No.

H18-2014M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 19, 2018 in the county of Montgomery in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

18 USC 2251(a)
(Sexual Exploitation of a Child)18 USC 2252A(a)(5)(B)
(Certain Matters Relating to
Material Constituting Child
Pornography)

Used, persuaded, induced, or coerced any minor to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct knowing that such visual depiction will be transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or mailed, if that visual depiction was produced or transmitted using materials that have been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer. Knowingly possessed, or knowingly accessed with...

This criminal complaint is based on these facts:

See Attached

☒ Continued on the attached sheet.

Complainant's signature

Nathan Curry, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 12/19/2018

Judge's signature

City and state: Houston, Texas

Frances H. Stacy, U.S. Magistrate Judge

Printed name and title

AFFADAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Nathan Curry, being truly sworn and deposed state,

1. I am a Special Agent with the Department of Homeland Security, Immigration & Customs Enforcement (ICE), Homeland Security Investigations (HSI), assigned to Houston, Texas. I have been so employed since April 2009. I am currently assigned to the Cyber Investigations Group and as part of my daily duties as an HSI agent assigned to this group, I investigate criminal violations relating to child exploitation and child pornography including violations of Chapter 109A, Chapter 110 and Chapter 117, all contained within Title 18 of the United States Code. I have received training in the area of child pornography and child exploitation, and I have had the opportunity to observe and review examples of child pornography in various forms of media including computer media. I have also participated in the execution of search warrants and arrest warrants; a number of which involved child exploitation and child pornography offenses.

2. This affidavit is based on reports your affiant has read and conversations your affiant has had with law enforcement officers and investigators involved in this investigation. This affidavit does not set forth all of my knowledge in this matter but is intended only to show that there is probable cause to believe that James Glenn FULCHER is in violation of Title 18 United States Code 2251(a) and 18 USC 2252A(a)(5)(B).

3. On or about September 28, 2018, the National Center for Missing and Exploited Children (NCMEC) received a CyberTipline complaint (# 40880426) from Tumblr, Inc., a social media site that hosts publicly and privately visible blogs ("web-logs") for users. Tumblr, Inc. reported that on or about September 20, 2018, it became aware that the Tumblr account associated with user name "fag6801get" (associated email address "fag6801get@gmail.com") was identified as having uploaded fifty (50) image files of suspected child exploitation material onto the user's Tumblr blog ("web-log").

4. I reviewed the files and believe, based on my training and experience, that multiple image files from the Tumblr account associated with Tumblr user "fag6801get," email address "fag6801get@gmail.com," are child pornography as defined in Title 18, United States Code, Section

2256. I reviewed the following suspected child pornography files that were included with the CyberTipline Report number 40880426:

- a) 178224755151_0_npf_video.mp4 was a color video approximately 30 seconds in duration. It depicted an outdoor setting with a pubescent Hispanic male child approximately 13-15 years old kneeling before three pubescent Hispanic males, aged approximately 12-14, all with their penises exposed as they stand around the kneeling male. The kneeling male is simultaneously masturbating two of the standing males, while the third standing male masturbates himself. This video file would constitute child pornography under federal law.
- b) 178225791446_0_npf_video.mp4 was a color video approximately one minute seven seconds (1:07) in duration. It depicted a Hispanic male child approximately 10-12 years old wearing a shirt and no pants. The child is lying face down as he is anally penetrated by an adult erect penis. This video file would constitute child pornography under federal law.
- c) 178229771196_4_inline_image.jpg was a color photo that depicted the exposed erect penis and testicles of a prepubescent Caucasian male approximately 4-6 years old. The focal point of the image was the lewd and lascivious exhibition of the genitals. This image file would constitute child pornography under federal law.
- d) 178229771196_5_inline_image.jpg was a color photo that depicted the exposed erect penis and scrotum of a prepubescent Caucasian male approximately 7-9 years old. The focal point of the image was the lewd and lascivious exhibition of the genitals. This image file would constitute child pornography under federal law.
- e) 178225541711_4_inline_image.png was a color photo that depicted the exposed erect penis, naked torso and face of a prepubescent Caucasian male approximately 7-9 years old. The focal point of the image was the lewd and lascivious exhibition of the genitals. This image file would constitute child pornography under federal law.

5. Supplemental documentation provided within the CyberTipline Report included the following subscriber information:

Email Address: FAG6801GET@GMAIL.COM
Screen/User Name: FAG6801GET
Profile URL: FAG6801GET.TUMBLR.COM
IP Address: 107.77.222.32
Last login: Wed, 19 Sep 2018 11:45:13 -0400 from
2600:1700:4970:2340:f06b:a730:47aa:7066

6. The Tumblr account was accessed from multiple IP addresses which were determined to originate with AT&T. On October 29, 2018, Houston Police Department Officer Wendy Corrales, a member of the Houston Metro Internet Crimes Against Children Task Force, issued an administrative subpoena to AT&T for subscriber information on the customer assigned the following IP addresses, at the corresponding dates and times. The IP addresses, provided by Tumblr in the CyberTipline Report, document the user accessing and/or posting to the Tumblr account:

2600:1700:4970:2340::664 on 2018-09-09 16:32:22 UTC
2600:1700:4970:2340:c874:b051:9c6b:9ebd on 2018-09-09 19:01:00 UTC
2600:1700:4970:2340:c4:6de4:fe39:d05d on 2018-09-06 01:50:08 UTC
2600:1700:4970:2340:552b:fb39:2ef0:fdb on 2018-09-04 18:38:10 UTC
2600:1700:4970:2340:54db:200a:99d1:cd15 on 2018-09-04 18:02:32 UTC

AT&T responded on November 3, 2018, that the subscriber was Iona BROWN and that the service address was on Bryants Circle in Conroe, Texas.

7. I reviewed files that were in the aforementioned Tumblr account associated with the IP addresses at the dates and time listed in paragraph 6. I found images and videos that meet the federal definition of child pornography in those files.

8. Subsequent to the receipt of the CyberTipline complaint # 40880426, I received three (3) additional CyberTipline complaints regarding child pornography uploaded to various social media accounts. One such complaint had an IP address that resolved back to the same address on Bryants Circle in Conroe, Texas. The three email addresses associated with the CyberTipline complaints utilize email addresses with similar naming conventions to the aforementioned Tumblr account. One account

uses an email address of ihategoogul6801@yahoo.com. Another account uses the email address of jamesglenn2018@outlook.com. The third account uses ihategoogul6801@hotmail.com.

9. Through research of law enforcement and public databases I learned that the owner of the real property located on Bryants Circle in Conroe, Texas is Jeanette Sue Erwin. Through research of public databases and publicly accessible social media, I learned that Jeanette Sue Erwin and Glenn Fulcher are the parents of Iona Lanette Fulcher Brown, and that Iona Brown resides at the address on Bryants Circle, Conroe, Texas with her family. Iona Brown's brother, James Glenn FULCHER, is also reflected as having some association with the property.

10. On November 16, 2018, I obtained a federal search warrant for information within and associated with email address "fag6801get@gmail.com". Google, Inc. responded to that search warrant on November 21, 2018. I reviewed the contents of that account and observed multiple still and video images of child pornography, including images depicting bondage and prepubescent children. I also observed multiple still and video images depicting the face of a white male adult (bearing physical features and appearance consistent with those depicted in the Texas Driver License image and historical MCSO booking photos for James Glenn FULCHER); a screen capture (file name: "Screenshot_20171104-095409.png") depicting a payment received for renewal of a Texas Driver License in the name of James Glenn FULCHER; and photographs of a disconnect notice from Entergy Electric dated September 17, 2018, addressed to Glenn S. Fulcher at the Bryants Circle, Conroe, Texas address.

11. I reviewed one of the video files recovered from the email account "fag6801get@gmail.com" and observed that it depicted a white male child, approximately eleven (11) years of age sitting with a keyboard in his lap. The child is wearing fingerless motorcycle gloves and a distinctively patterned t-shirt. The child's face is visible in the video. An adult white male's forearm and hand is visible in the video. A tattoo is visible on the forearm of the adult. The adult's hand is manipulating the child's genital area both outside and inside the pants and appears to be masturbating the child's penis.

At one point the hand removes the child's penis from the pants so that the penis is displayed to the camera.

12. On December 17, 2018, I obtained a federal search warrant for the residence on Bryants Circle in Conroe, Texas. On December 19, 2018, I executed that federal search warrant. I spoke with Ama Elaine Munoz who told me that approximately two weeks earlier her brother, James Glenn FULCHER, had relocated from a trailer on the property. I showed Mrs. Munoz a number of sanitized images extracted from the photos and videos depicting children that were recovered from the email account "fag6801get@gmail.com". Mrs. Munoz identified the male child in the video described above as an eleven-year-old minor relative (hereafter referred to as "Minor Victim #1"). She further identified the carpet in the background of the video as having previously been located inside the trailer formerly inhabited by her brother James Glenn FULCHER at the Bryants Circle address. Mrs. Munoz further identified the tattoo on the adult's forearm as being that of her brother James Glenn FULCHER. Mrs. Munoz told me that the tattoo was her brother's identification number from when he went to prison.

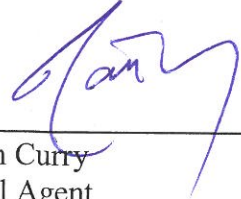
13. On December 19, 2018, Detective Nichols and I attempted a knock and talk consensual interview with James Glenn FULCHER at 25735 Hill and Dale Avenue, Splendora Texas 77372. FULCHER answered the door and agreed to an interview. The interview was conducted in Detective Nichols' unmarked law enforcement vehicle immediately outside the residence. FULCHER was not handcuffed or otherwise restrained. I advised FULCHER of his rights under Miranda and he agreed to be interviewed. He told me he had moved to the location from the Bryants Circle address a couple of weeks ago. He stated he resided at the location alone. When I asked for his email address, he initially stated "FAG..." and then stopped and stated something entirely different. He admitted to me that he had used his sister's wireless internet account when he had resided at the previous location.

14. FULCHER was shown sanitized images extracted from the photos of and videos depicting children that were recovered from the email account "fag6801get@gmail.com". He stated that several of the photos were from his Facebook account and depicted juvenile family members, including Minor

Victim #1. FULCHER told me that the tattoo on his forearm was "311651". FULCHER requested to speak with an attorney, and the interview was terminated.

15. Detective Nichols conducted queries of law enforcement databases and learned that "311651" was the Montgomery County Sheriff's Office inmate identification number assigned to FULCHER in one of their previous records systems.

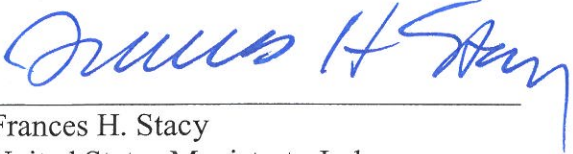
16. Based on the foregoing facts, I respectfully request an arrest warrant be issued for James Glenn FULCHER for violations of Title 18 United States Code 2251(a) and 18 USC 2252A(a)(5)(B).



Nathan Curry
Special Agent
DHS-ICE-HSI

SUBSCRIBED and SWORN

Before me this 19 day of December 2018, *and I find probable cause.*



Frances H. Stacy
United States Magistrate Judge
Southern District of Texas